

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

APS TECHNOLOGY, INC.,

*Plaintiff,*

v.

VERTEX DOWNHOLE, INC.,  
VERTEX DOWNHOLE, LTD.,

*Defendants.*

CIVIL ACTION NO: 1:19-cv-01166-MN

**STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL WITH PREJUDICE**

Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii), and in light of the settlement between the parties, Plaintiff APS Technology, Inc. and Defendants Vertex Downhole, Inc. and Vertex Downhole, Ltd. hereby stipulate, subject to the Court's approval, that all claims in this action are dismissed WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

Dated: October 15, 2020

OFFIT KURMAN, P.A.

/s/ R Touhey Myer

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Respectfully submitted,

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Downhole, Inc. and Vertex  
Downhole, Ltd.*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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The Honorable Maryellen Noreika  
United States District Judge